

IN THE DRAWINGS

Please replace the originally submitted Chart #2 in Appendix "A" with the replacement Chart #2 submitted previously.

REMARKS

Reexamination of this application is respectfully requested.

The examiner sent a Notice of Non-Compliant Amendment on January 10, 2006 stating that the replacement paragraph on page 5 did not contain markings to show the changes and further that the new paragraphs added on page 15 were added in the wrong location. Applicants have corrected the cited deficiencies and therefore believes the present amendment to be compliant and therefore acceptable for review.

The examiner has objected to the specification under rule 1.71 Title 37 CFR for not being written in full, clear, concise and exact terms as to enable any person skilled in the art to make and use the same. Applicants have submitted the above matter for inclusion in the specification to clarify the fitting process by providing a step-by-step discussion of the process and the use of charts 1A-1C. It should be noted, however, that no new matter has been presented as all of the descriptive material was previously disclosed in the charts and in the specification, particularly in pages 9-13 of the originally submitted specification. It is believed that the submitted specification modifications overcome the objections of the examiner and clarify the selecting and fitting process, a process which is further believed to present a significant improvement over those fitting systems found in the prior art.

Regarding CPM Chart #1, CPM Chart #2, Chart #3 and Chart #4, each of these charts are presently available to any golf club fitters and do not represent inventive contributions to the present invention. Rather, they merely show shaft length to shaft flex comparison which is well-known in the art, and in fact, to clarify the submissions, Chart #2 has been amended to include data taken directly from CPM Chart #1 to make use of those charts easier for a user of the present invention. The amendments to Chart #2 thus present no new matter, and applicants will gladly provide any additional information for the examiner to facilitate issuance of the instant application.

The examiner has rejected claims 1-14 under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. Applicants have amended each of the objectionable claims to resolve the cited deficiencies and clarify the scope of the claims, and thus believes the

1 presently amended claims to be acceptable. Applicants particularly note that the examiner has stated  
2 that none of the prior art discloses computing a Basic Index as claimed, and therefore each of the  
3 claims remaining in the application is believed to be allowable over the prior art.

4 Regarding claim 8, the examiner has rejected it under 35 U.S.C. 112, second paragraph, as  
5 being indefinite, particularly that in line 8, figures are referred to. Applicants are unsure what the  
6 examiner is referring to, as they have been unable to discern the objectionable language in the claim  
7 as originally submitted. If the examiner would kindly point out the offending language, applicants  
8 will gladly modify the claim to render it allowable and they thank the examiner in advance for his  
9 assistance.

10 It is thus believed that this invention is deserving of protection, and the granting of such  
11 protection is respectfully requested.

12 This application is thus believed to be in condition for allowance of all claims remaining  
13 herein, and such action is respectfully requested.

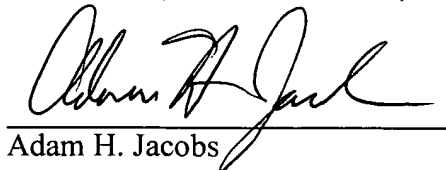
14 Respectfully submitted,

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22 CERTIFICATE OF MAILING

23 I hereby certify that this Amendment for a GOLF CLUB FITTING SYSTEM, Serial N°  
24 10/761,668, was mailed by first class mail, postage prepaid, to Mail Stop Non-Fee Amendment,  
25 Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 10th day of  
26 February, 2006.

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28 Adam H. Jacobs